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Attorney for Plaintiff
Nancy Hyder

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Nancy Hyder,

Plaintiff,

vs.

Kemper Insurance Company; Lumberman's
Mutual Insurance Company; Broadspire
Services, Inc.; Vodafone Americas, Inc.;
Vodafone Short Term Disability Plan; Vodafone
Long Term Disability Plan; Vodafone Employee
Health Plan; Vodafone Employee Dental Plan;
Verizon Wireless, Inc.; and Does 1 to 50
Inclusive,

Defendants.

Case No. C 05-01782 CW

**STIPULATION TO MODIFY BRIEFING
SCHEDULE ON MOTIONS FOR
JUDGMENT AND FOR SUMMARY
JUDGMENT AND PROPOSED ORDER
THEREON**

The parties hereto, through their respective counsel of record, hereby stipulate as follows:

1. This stipulation pertains to the briefing schedule established by the court in its Minute Order and Case Management Order dated January 22, 2007. In that order, the court established the following briefing schedule for plaintiff's anticipated Motion for Judgment under Rule 52 regarding her ERISA claims as to retiree health and dental benefits:

Plaintiff's opening brief:	February 16, 2007
Defendant's opposition brief/cross-motion:	March 2, 2007
Plaintiff's reply/opposition:	March 9, 2007
Defendant's surreply:	March 16, 2007

The court established the following briefing schedule with respect to defendant Vodafone's anticipated summary judgment motion respecting plaintiff's claim as to stock options:

Moving papers:	March 2, 2007
Plaintiff's opposition:	March 16, 2007
Defendant's reply:	March 23, 2007

Both motions were scheduled to be heard by the court on April 13, 2007.

2. The parties wish to modify the briefing schedule in order to maximize settlement opportunities. On February 7, 2007, the parties engaged in mediation proceedings before Hon. Ellen Sickles James (Ret.), and although no settlement was achieved, sufficient progress was achieved that a consensus emerged that further mediation proceedings were advisable. The parties and Judge James agreed to meet again on February 27 to resume settlement talks.

3. Given the February 27 date for further mediation proceedings, the parties wish to defer briefing on the anticipated motions in order to determine if briefing and the associated fees and costs can be rendered unnecessary. Therefore, the parties would like to establish by this stipulation the following briefing schedule in lieu of the one set forth in the court's January 22 order:

Plaintiff's Rule 52 motion for judgment regarding ERISA health and dental benefits:

Moving papers:	March 9, 2007
Opposition papers:	March 16, 2007
Reply papers:	March 23, 2007
Surreply papers:	March 30, 2007

Defendant's summary judgment motion regarding stock options:

Moving papers:	March 9, 2007
Opposition papers:	March 16, 2007
Reply papers:	March 23, 2007

Under the parties' proposed briefing schedule briefing would be completed by March

30, and the April 13 hearing date, should it please the court, would be maintained.

Dated: February 9, 2007

/S/

Richard Johnston
Attorney for Plaintiff
Nancy Hyder

Dated: February 9, 2007

PILLSBURY WINTHROP
SHAW PITTMAN LLP

/S/

By: Marcia L. Pope
Attorneys for Defendant
Vodafone Americas, Inc.

Dated: February 9, 2007

KAUFF McCLAIN & McGUIRE LLP

/S/

By: Jeffrey D. Polsky
Attorneys for Defendant
Verizon Wireless Retiree Medical Plan

Signature attestation: I hereby attest that I have on file all holograph signatures indicated by a "conformed" signature (/S/) within this efiled document.

Dated: February 9, 2007

/S/

Richard Johnston
Attorney for Plaintiff
Nancy Hyder

~~PROPOSED~~ ORDER

The court, having reviewed the foregoing stipulation, and good cause appearing

1 therefor,

2 IT IS SO ORDERED.

3
4 Dated: February 14, 2007

A handwritten signature in blue ink, appearing to read "Claudia Wilken", with a long horizontal flourish extending to the right.

6
7 CLAUDIA WILKEN
United States District Judge